



## CONNECTION

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Issue 1

A COMPENDIUM OF CIVIL RIGHTS NEWS

# MPPs endorse homosexual-rights bill

## Ontario will be second province to curb discrimination

WEDNESDAY, DECEMBER 3, 1986

BY STANLEY OZIEWICZ  
The Globe and Mail

A proposal that would prohibit discrimination against homosexuals was passed in the Ontario Legislature last night by a 64-45 vote.

When it becomes law — probably before Christmas — Ontario will become the second province in Canada, after Quebec, to have legislation banning discrimination based on sexual orientation.

Spectators in the public galleries of the House stood and cheered when the vote was announced.

Four of 45 Conservatives present voted in favor. One Liberal Cabinet minister, Community and Social Services Minister John Sweeney, was not present for the vote, and four Liberal MPPs of the 43 present voted against the amendment. Three of 24 New Democratic Party MPPs did not show up for the vote; the 21 others voted in favor.

Yesterday, on the fifth day of debate on the contentious issue, all three party leaders spoke in favor of including sexual orientation as a forbidden ground of discrimination in the Ontario Human Rights Code.

Although Conservative Leader Larry Grossman ended by voting in favor of the amendment, he said it was "ill-timed, ill-explained, ill-understood and, I think, mis-managed," by the Liberal minority Government.

In closing debate, Premier David Peterson rejected the view that the amendment should have been delayed for further public discussion.

He said the Legislature has had a full, public and wholesome debate and "we are doing the finest act we could do in upholding the loving and caring world we live in."

NDP Leader Bob Rae had asked MPPs to

"take a step for tolerance and speak for tolerance."

He said the amendment deals not with morality or ethical or religious beliefs but human rights. "Rights are not something given by the state. . . . Rights are innate to what it means to be human."

The vote was only on the sexual-orientation amendment. It does not become law until Bill 7, the legislation containing the NDP-sponsored amendment, passes third reading and receives royal assent. Although the Government intends to proceed quickly with the bill, there remains at least one avenue of delay.

Conservative backbencher Yuri Shymko (High Park-Swansea), who boycotted the vote, has said that he will move an amendment on third reading to send the amendment back to the justice committee so that full public hearings can be held on the issue.

However, it is not likely that the Legislature would agree to such a motion, given the amendment's support by the Liberals and the NDP caucus.

Bill 7, originally introduced by the previous Conservative government, is an omnibus bill intended to bring dozens of Ontario statutes into line with Section 15 of the federal Charter of Rights and Freedoms.

MPPs on all sides have experienced what some of them call an unprecedented lobbying effort by groups, many of them religious, opposed to the move.

Mr. Grossman said the pressure involved "fierce threats, misunderstandings and misapprehensions."

Referring to the type of pressure tactics used by Jerry Falwell, the fundamentalist U.S. religious leader who played an important role in the election of President Ronald Reagan, Mr. Grossman said: "Falwellism is not appropriate for Ontario."

In all, 40 MPPs spoke in the five days of debate on the issue, considered by many to have been as emotional as any experienced at Queen's Park.

Susan Fish, one of the Tories who voted in favor of the amendment, accused some of her own caucus colleagues of injecting hatred and bigotry into the debate.

THE EDMONTON JOURNAL,  
Wednesday, December 3, 1986

### Gay rights approved

TORONTO — An amendment to the Ontario Human Rights Code to protect homosexuals from discrimination was passed by the legislature Tuesday after more than a week of vitriolic debate. The controversial amendment prohibits discrimination against gays and bisexuals on the basis of sexual orientation when someone is seeking a job or housing.



# Rights and sexuality

WEDNESDAY, NOVEMBER 19, 1986

Toronto Star Dec 8/86

Since Canada adopted its constitutional Charter of Rights and Freedoms in 1982, the federal and provincial governments have been weeding out laws that might violate the charter's guarantees. Ontario bundled its necessary amendments into Bill 7, approved in principle in the last session, and expects to pass the bill by the end of the year. But the Liberal government is stumbling over one section of the legislation, and its hesitation is painful to see.

Section 18 would amend the Ontario Human Rights Code to include sexual orientation as a prohibited ground of discrimination. Its effect would be mainly to outlaw discrimination against homosexuals with respect to services, goods, facilities, occupancy of accommodation and employment. Although the charter does not explicitly mention sexual orientation, its wording is inclusive; it guarantees equality under the law "without discrimination," while going on to provide particular examples.

There are those, such as Ontario's Roman Catholic bishops, who oppose the proposed amendment because they equate the removal of discrimination against homosexuals with a declaration that homosexuality is morally acceptable. "It just can't wash with our concept of morality," says Rev. Angus Macdougall, general secretary of the Ontario Conference of Catholic Bishops.

This is why Ontario has a human rights bill — to spare people the indignity of being denied services, accommodation and employment according to individual standards of morality or prejudice. The proposed amendment does not make homosexuality "acceptable," any more than the law's absence to date has made homosexuality unacceptable. It says the sexual orientation of an employee or customer should be none of an employer's, landlord's or merchant's business, any more than

his or her race, religion or ethnic origin should be.

Another objection comes from a group called the Coalition for Family Values, led by pentecostal church leader Hudson Hilsden. "Is it (the term 'sexual orientation') confined to homosexuals?" asks Mr. Hilsden. "Could it open the door to other sexual behavior, such as sexual interest in children or animals?" He asks whether a pedophile could get a job at a daycare centre under the section.

What he is asking is whether daycare centres would have to hire somebody who would put children at risk, a question that confuses sexual orientation with sexual conduct. Child molestation and bestiality are both offences under the Criminal Code, and any daycare supervisor or teacher likely to betray his or her trust should be dealt with accordingly.

The central issue in the proposed change is homosexuality: should people have to hide their homosexuality to get a job, to rent an apartment, to eat in a restaurant? The legislative committee that amended section 18 didn't think so, but there are signs the government may not consider the principle worth enforcing as party policy. House Leader Robert Nixon, who only a few weeks ago said government members would be expected to vote for the total bill with all amendments, said on Nov. 4 that the government was considering allowing a free vote on this part of the bill.

In distancing itself from the issue, the government would be ceding ground to those who wrongly equate tolerance of sexual orientation with endorsement. It would be sending a signal that, while Bill 7 is designed to correct inequities and remove injustices, the section prohibiting discrimination against homosexuals is an optional extra, so expendable that the Liberals won't even use party discipline to support its passage. Is this really the message Mr. Nixon and his colleagues wish to send?

## MPP slams churches over homosexual 'hate drive'

A Progressive Conservative MPP has accused church groups — including the Roman Catholic Church — of promoting "a terrible campaign of hatred" against homosexuals.

Susan Fish said yesterday that she is appalled by the actions of the Ontario Conference of Catholic Bishops, which has lobbied MPPs to defeat a proposal to prohibit discrimination on the grounds of sexual orientation.

"The pressure from the church groups is like nothing I've ever seen," Fish (St. George) told reporters.

"And for me (it's) incredibly depressing because the approach is, I think, an out-and-out bigoted and discriminatory approach, and I think it's a heartbreak it's being advanced by churches."

Fish also accused most members of her own party's caucus of promoting bigoted views against homosexuals.

"I think they are advancing discrimination," she said, but added that "I don't think they intend to be hurtful."

The remarks came just after Fish, in the Legislature, became the first Tory MPP in four days of debate to speak in favor of the homosexual rights proposal.

### 'Stand outraged'

"I stand outraged, not as someone who has been on the receiving end of discrimination by virtue of sexual orientation, but as someone (who is) committed to basic justice and equality in our society," Fish told the Legislature.

"This amendment does nothing more than advance a simple and clear notion of Ontario society. It is a society where people are dealt with on their merits, not on the basis of any other characteristic."

Most of Fish's colleagues in



the Conservative caucus have said they plan to vote against the controversial amendment to the Ontario Human Rights Code.

Many of them have said it will violate traditional family values by giving homosexuals special recognition under the law.

Fish told reporters that she knows all but "a few" of the 51 Tory MPPs will vote against the amendment.

"I believe that they are acting in good faith in their minds," she said. "I will give them that. I know them. I have worked with them. I don't believe they intend harm."

### **'I guess'**

"But I think they, like an awful lot of others in society who have been in touch with me, have been swayed by a terrible campaign of hatred, which is the only way I can describe the campaign that has come out of the churches."

At one point, a reporter suggested to Fish that she was calling most of her fellow Tory MPPs "bigots." She replied: "Yeah, I guess that's what I'm doing."

She added that she is saying her fellow Tories are "not thinking through the real impact of what they're saying and doing."

The amendment would guarantee homosexuals the same protection against discrimination as people who are handicapped or of various races or creeds.

It is part of Bill 7, legislation introduced a year ago to make Ontario statutes conform to equality provisions of the Charter of Rights and Freedoms.

Quebec enshrined protection for homosexuals in its human rights code in 1977. Manitoba and the Yukon have also been considering such a move but have yet to introduce legislation.

A vote on the amendment could come late this afternoon and is expected to be close.

Premier David Peterson has asked his 50-member Liberal caucus to support it, but two of his MPPs have already spoken against it.

Almost all 24 members of the New Democrat caucus are expected to vote for the amendment.

Progressive Conservative leader Larry Grossman, who has not publicly revealed his own stance, is allowing his MPPs to vote according to their own consciences.

Besides the homosexual rights provision, Bill 7 also contains a controversial amendment to ban most adults-only apartment buildings in the province.

Fish's criticism of church pressure was echoed in the legislature by fellow Tory Yuri Shymko.

"As a Catholic, I am disturbed when I receive lobbying letters from the Ontario Catholic bishops which tells me as a Catholic that I should not vote and support this bill, perhaps threatening me with the fires of purgatory," an angry Shymko (High Park-Swansea) told the Legislature.

He did not, however, declare his position on the amendment.

Fish, in the Legislature, called the bishops' statement a "deadly, deadly attack" on human rights.

Citing a letter from the bishops to politicians, warning that the amendment would "cause greater harm to society," Fish compared the church's efforts to defeat the measure to U.S. Senator Joe McCarthy's attacks on Communists during the '50s.

"I will have no part of an introduction of McCarthyism into this society," Fish said. "I will have no truck with those who deliberately misdirect and I will proudly stand in my place and support this amendment and this bill."

The thorny homosexual issue has touched off intense lobbying by organizations — many of them religious — that are vehemently opposed to the move, as well as homosexual groups that have been fighting for the change for years.

### **Morality question**

Church groups have complained that the bill is an inappropriate interference with the morality and community standards of Ontario, and could theoretically protect from prosecution people who engage in bestiality and pedophilia.

And in an attempt to defeat the bill, they have flooded politicians' offices with thousands of letters.

Fish, whose riding contains a large homosexual population, called such attempts a deliberate attempt to deny civil rights to a minority group.

"What would the conference of bishops have us do?" she asked. "Re-enter the bedrooms of this province and the nation? Where is that much-vaunted Christian charity that the church has stood for over time?"

## **Voters oppose bill on homosexuals, Tory MPPs contend**

Nov 28/86

**BY STANLEY OZIEWICZ**

The Globe and Mail

A succession of Progressive Conservative MPPs warned yesterday that the minority Liberal Government faces the wrath of voters for supporting a proposal to prohibit discrimination against homosexuals.

In the third day of debate on the contentious issue, Tory Alan Pope (Cochrane South) said the Liberals are seriously misreading the public mood by making the proposal a legislative priority.

Mr. Pope said he has received hundreds of letters from the Northern Ontario community of Iroquois Falls (population: 6,000).

He said they show a massive rejection of a change to the Ontario Human Rights Code that would ban discrimination based on sexual orientation.

Mickey Hennessy, a Conservative MPP representing Fort William riding, said that in nearly 10 years as a legislator, he has never had as many constituents press him on the issue.

"These people are really concerned."

Lobbying against the amendment, which has included letters, telephone calls and personal visits, has been intense. Much of the campaign has been orchestrated by groups such as Renaissance Ontario, an evangelical religious organization, and the Coalition for Family Values, an association of church, community, business and civic organizations "committed to traditional moral, social, legal and family values."

A sheet distributed by the coalition lists as supporters: the Baptist Convention of Ontario and Quebec; Canadian Baptist Federation; Canadian Organization of Small Business; Christian Farmers Federation of Ontario; Christian Legal Fellowship; Christian Medical and Dental Society; Fellowship of Evangelical Baptist Churches; Free Methodist Church in Canada; National Citizens Coalition; Ontario Conference of Catholic Bishops; REAL Women of Canada; the Queensway Cathedral; the Pentacostal Assemblies of Canada; and the Pentacostal Fellowship of North America.

On the eve of debate on the issue, coalition representatives held a press conference to criticize the amendment and later fanned out through the Legislature to talk to individual MPPs.



# Quebec's homosexual rights bill works with little fuss

Toronto Star Dec 8/86

By William Marsden  
Special to The Star

MONTREAL — When Quebec banned discrimination against homosexuals in December, 1977, it became the only jurisdiction in the world where sexual orientation is listed in the human rights charter. Yet this revolutionary bill passed through the National Assembly almost without comment.

While the homosexual rights debate raged in the U.S with orange juice queen Anita Bryant pushing her Christian Fundamentalist battle against the "gay plague," Roman Catholic Quebec quietly gave homosexual organizations exactly what they wanted.

"It took us all by surprise," said Alain Bouchard of the Quebec Gay Rights Association.

"This was our first priority, and none of us was expecting that it would come that soon."

## Given approval

The bill, which had the support of all three major parties at the time, was given second reading, clause-by-clause study in committee and final reading — all within the space of a few minutes.

"The fact that three homosexual Parti Quebecois cabinet ministers were pushing hard for the bill really helped," homosexual rights activist David Cassidy said in an interview.

"Considering the fact that we have a larger Jewish and Catholic

community, who elsewhere have vociferously opposed gay rights, it's amazing how fast it went through. There really wasn't a squeak out of anybody. Maybe we're just a bit more civilized.

"Maybe it was because everybody was too busy worrying about the (political) separation issue to care. Maybe it's because people in Quebec — English and French — know what it is like to be discriminated against."

Cassidy said that, since the legislation passed, the main issue for homosexuals has been discrimination against people with AIDS (acquired immune deficiency syndrome).

The bill amended the Quebec Charter of Human Rights and Freedoms to include "sexual orientation" as grounds on which it is forbidden to discriminate.

The entire clause prohibits discrimination based on "race, color, sex, pregnancy, sexual orientation, civil status, age, religion, political convictions, language, ethnic or national origin, social condition, handicap."

The amendment allowed homosexuals to complain to the commission for rights violations based on sexual orientation. The commission's practice is to investigate the complaint and try to mediate between the two parties.

If that fails, the commission will take the violator to court and act

as the lawyer for the party who believes he has been discriminated against.

Monique Lorti of Quebec's human rights commission said that, since the bill was passed, only 70 cases — 4 per cent of the total complaints — have been based on sexual orientation.

Last year for instance, the commission had 552 complaints, of which nine were based on sexual orientation. Five of these involved discrimination in the workplace one involved housing and three involved access to public places.

The commission's most common complaint deals with sexual discrimination against women in the workplace, Lorti said.

"We really don't have a problem concerning sexual orientation," she said.

She laughed when she was told that Ontario's continuing debate over homosexual rights has included an assertion by an MPP that Quebec's homosexual rights legislation has caused a decline in Quebec's birth rate.

"That's the best joke I've heard today," she said. "I really can't recall any studies that have shown that."

Key to the bill's swift and quiet passage probably was a police raid in October, 1977. Waving machineguns, the Montreal morality squad barged into a downtown homosexual bar and arrested 145

patrons.

The police then gave the names of all those arrested to their employers.

The 145 men were released several days later after more than 1,000 people jammed a downtown intersection to protest the raid. The government eventually apologized.

Since then, the police have hired homosexuals, and on several occasions the Montreal police chief has addressed homosexual groups on civil rights issues. Quebec's homosexual community is estimated to number about 100,000.

The biggest Charter case based on sexual orientation occurred in 1978 when the Quebec Gay Rights Association sued the Montreal Catholic School Board for refusing to rent it space for a meeting. The homosexual rights association eventually won its case in Superior Court.

## Remain quiet

Since then, even the Catholic church has remained quiet on the issue of homosexual rights.

Last May, Bishop Leonard Crowley of the Archdiocese of Montreal agreed to celebrate mass at a convention of homosexual Catholics.

"The Lord Jesus came to save all people," the Bishop said. "they (homosexuals) are part of mankind that He has come to liberate. Obviously the church disagrees with homosexual practices."

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